

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-042-T - ORDER NO. 96-370
MAY 22, 1996

IN RE: The matter of the failure of certain)
 holders of Certificates of Public)
 Convenience and Necessity listed on) ORDER
 the attached Appendix to file with the)
 Commission evidence of Insurance.)

 This matter comes before the Public Service Commission of South Carolina (the Commission) by way of Commission Order No. 96-233 in the instant Docket, which required all motor vehicle carriers listed in the Appendix thereof to appear before the Commission on Tuesday, May 14, 1996, at 11:00 a.m. to show cause why the Commission should not revoke and cancel their Certificates for violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law of South Carolina in respect of failure to file evidence of insurance.

 The information upon which the Commission based Order No. 96-233 was developed by the Transportation Department through a procedure involving periodic inspections of the Commission's files and records. From this data, the Commission Staff developed a list of motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law (Appendix of Order No. 96-233).

The Transportation Department Staff notified all of the carriers listed in the Appendix of Order No. 96-233 that because of their failure to file evidence of liability and/or cargo insurance, they were not in compliance "with the terms of the Motor Vehicle Carrier Law of South Carolina, and the Rules and Regulations issued thereunder." Subsequently, on April 9, 1996, the Commission issued Order No. 96-233 setting a Rule to Show Cause hearing for those motor carriers who had not responded to the prior notifications of noncompliance.

A public hearing regarding this matter was held on May 14, 1996, at 11:00 a.m.. F. David Butler, Staff Counsel, represented the Commission Staff. None of the Respondents named in the Appendix of Order No. 96-233 appeared at the hearing. L. George Parker, Jr., Manager of the Transportation Department of the Commission, testified for the Commission Staff.

With respect to all the Respondents listed in the Appendix attached hereto, the Commission is of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by all listed carriers should be revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and/or the South Carolina Motor Vehicle Carrier Law [S.C. Code Ann., §58-23-10 et seq. (1976)].

The Commission also finds that the Rule to Show Cause should be dismissed as to the carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by those motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.

2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.

3. That this Rule be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)

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APPENDIX

<u>CARRIER</u>	<u>CLASS</u>	<u>CERT. #</u>
Billy W. Maybank DBA Bank's Taxi Service 617 Church Street Georgetown, SC 29440 (Public Liability & Property Damage)	C	6329
Christel R. Rickenbaker DBA Courtesy Limousine Service 1723 Willowcreek Drive Columbia, SC 29212 (Public Liability & Property Damage)	C Charter	6261
Justin R. McKenzie DBA J. R.'s Taxi Company RR 3, Box 5 Dillon, SC 29536 (Public Liability & Property Damage)	C	6178
Otah R. Otah 306 Maxine Street Spartanburg, SC 29302 (Public Liability & Property Damage)	C	6327
Robert D. Pascarella 416 Oakmont Drive Myrtle Beach, SC 29577 (Public Liability & Property Damage)	C	6158
Thomas M. Powers DBA Shoreline Transportation 1333 Melanie Lane Myrtle Beach, SC 29577 (Public Liability & Property Damage)	C	6258